

EXPRESS MAIL LABEL NO. EL065710980US

Approved for use through 10/31/99. OMB 0651-0031  
 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

CARLE-3 CIP3 USA

In re Application of Ralph A. Nelson et al.

Application Number  
08/833,096Filed  
April 4, 1997

For BEAR DERIVED ISOLATE AND METHOD

Group Art Unit  
1651Examiner  
Witz, J.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated August 4, 1998 rejecting the following claims: 1-21, 24-33, 44, 45, 49-51, 63-66.

The fee for this Notice of Appeal is (37 CFR 1.17(e))

\$ 310.00.

If I have checked one of the boxes below, then this is also a petition for an extension of time under 37 CFR 1.136(a) to reply to the rejection:

Extension of time requested for:

Non-small entity fee for extension of time:

- |                          |  |      |
|--------------------------|--|------|
| <input type="checkbox"/> | 1 Month (37 CFR 1.17(a))                 | \$ - |
| <input type="checkbox"/> | 2 Months (37 CFR 1.17(b))                | \$ - |
| <input type="checkbox"/> | 3 Months (37 CFR 1.17(c))                | \$ - |
| <input type="checkbox"/> | 4 Months (if available) (37 CFR 1.17(d)) | \$ - |

The sum of the fee for the Notice of Appeal and the fee for any extension of time is: \$ 310.00.

☒ Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 155.00.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☒ has already been filed in this application.

☒ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1308. I have enclosed a duplicate copy of this sheet.

I am the

- ☐ applicant.
- ☐ assignee of record of the entire interest.
- ☐ attorney or agent of record.

☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a), 17,620

Signature  
Jack E. Dominik

Typed or printed name  
October 30, 1998

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. <

SW

GAU 1651 \$

**DOMINIK, KNECHTEL, DEMEUR & SAMLAN**  
ATTORNEYS AT LAW

SPECIALIZING IN  
PATENTS, TRADEMARKS, COPYRIGHTS,  
TRADE SECRETES, UNFAIR COMPETITION,  
AND  
RELATED LITIGATION AND LICENSING:  
DOMESTIC AND FOREIGN

PLEASE REPLY TO MIAMI OFFICE:  
SUITE 225  
6175 NORTHWEST 153RD STREET  
MIAMI LAKES, FLORIDA 33014  
  
TELEPHONE: (305) 556-7000  
TELEFAX: (305) 556-6577

CHICAGO OFFICE:  
SUITE 2810  
30 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
  
TELEPHONE: (312) 655-9900  
TELEFAX: (312) 655-1917

ALL MEMBERS ARE REGISTERED PATENT  
ATTORNEYS: UNITED STATES PATENT AND  
TRADEMARK OFFICE



**CERTIFICATE OF EXPRESS MAILING**

EXPRESS MAILING LABEL NO. EL065710980US

Date of Deposit: October 30, 1998

RECEIVED  
98 NOV -4, PM 2:02  
GROUP 180

I HEREBY CERTIFY that the hereunder papers and fees for Docket CARLE-3 CIP3 USA are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Silvana I. Wiltshire

(Signature)

Consisting of:

- 1) Notice Of Appeal From The Examiner To The Board Of Patent Appeals And Interferences; and
- 2) A check in the amount of \$155.00 to cover the cost thereof.

SW